



Australian Government

CPCCBS6103 Identify and apply legal and ethical requirements to building surveying functions

Release: 1

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Modification History

Release 1 This version first released with CPC Construction, Plumbing and Services Training Package Release 6.0.

Supersedes and is equivalent to CPCCBS6003 Apply legal and ethical requirements to building surveying functions.

Application

This unit of competency specifies the skills and knowledge required to identify and apply building control legislation, ethical standards and industry codes of practice to building surveying functions. It includes identifying and applying the requirements of particular geographic locations, climate zones, and local planning schemes and codes.

This unit is suitable for building surveyors who draw on their broad theoretical knowledge and technical skills to provide building surveying services while operating in a highly regulated environment.

This unit forms part of the licensing requirements for building surveying in some states and territories. Relevant state and territory regulatory authorities should be consulted to clarify these requirements.

Pre-requisite Unit

Nil.

Unit Sector

Building surveying

Elements and Performance Criteria

Elements describe the essential outcomes.

Performance criteria describe what needs to be done to demonstrate achievement of the element.

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| 1 Identify and apply legal and ethical standards. | 1.1 Review workplace code of conduct to clarify own responsibilities and apply to building surveying activities and client communications. |
| | 1.2 Identify potential conflicts of interest prior to undertaking building surveying projects according to |

- workplace code of conduct.
- 1.3 Check client contractual arrangements to confirm compliance with legislative and regulatory requirements.
 - 1.4 Conduct research to confirm own authority, licence and insurances to undertake building surveying activities.
 - 1.5 Apply legal and ethical standards to building surveying activities including client and stakeholder communications.
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- 2 Identify and apply building control legislative and regulatory requirements.
 - 2.1 Research and identify relevant jurisdictional building control legislation and regulations and apply to building surveying activities.
 - 2.2 Identify relevant requirements of the National Construction Code (NCC) and Australian Standards and apply to building surveying activities.
 - 2.3 Research and identify relevant jurisdictional authority planning constraints and apply to building surveying activities.
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- 3 Identify and apply relevant administrative requirements.
 - 3.1 Identify and follow timelines, documentation and compliance requirements of relevant authorities according to the nature of building surveying tasks being undertaken.
 - 3.2 Submit exemption requests to relevant authorities according to legislative and regulatory procedures.
 - 3.3 Anticipate, identify and manage problems in meeting administrative requirements of relevant authorities and seek advice as required from relevant persons.
 - 3.4 Identify and maintain record-keeping processes to meet legislative and regulatory requirements.
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- 4 Communicate and manage building surveying legal requirements.
 - 4.1 Advise client on the availability and scope of internal and external dispute resolution processes.
 - 4.2 Manage dispute or complaint about own building surveying services professionally and ethically to

- resolution according to workplace requirements and relevant codes of practice.
- 4.3 Check and verify that building contractors hold appropriate licence, insurances and registration for building Class and type.
- 5 Identify and apply processes to enforce requirements of legislation.
- 5.1 Receive and process advice or complaints regarding non-compliant or unsafe building works according to workplace requirements.
- 5.2 Arrange and conduct site inspection of properties and buildings to assess extent of non-compliance and risk to public health and safety and record detailed observations on site.
- 5.3 Seek advice from relevant persons to clarify extent of non-compliance or risk to public health and safety.
- 5.4 Prepare building orders or notices to relevant persons where properties or buildings are found to be non-compliant or posing a risk to public health and safety.
- 5.5 Identify and apply statutory enforcement procedures to ensure required remedies to building works are completed within specified timeframes and to required compliance standards.
- 5.6 Maintain and use accurate, detailed and current records to represent clients or other stakeholders according to workplace and regulatory requirements.

Foundation Skills

As well as the foundation skills explicit in the performance criteria of this unit, candidates require:

- oral communication skills to use questioning, active listening, paraphrasing and summarising to seek advice and determine client or stakeholder needs
- reading skills to understand complex vocabulary used in the NCC and building control legislation and regulations.

Unit Mapping Information

Supersedes and is equivalent to CPCCBS6003 Apply legal and ethical requirements to building surveying functions

Links

Companion volumes to this training package are available at the VETNet website -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=7e15fa6a-68b8-4097-b099-030a5569b1ad>

Assessment Requirements for CPCCBS6103 Identify and apply legal and ethical requirements to building surveying functions

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Performance Evidence

To demonstrate competency, a candidate must meet the elements and performance criteria of this unit by identifying and applying the legal and ethical requirements of the applicable jurisdiction, workplace and industry codes of practice to building surveying functions for one building project.

In doing the above, the candidate must arrange and conduct a site inspection of a Class 1 building to assess the extent of non-compliance and risk to public health and safety noting the following while on site:

- details of inspection conducted:
 - date, location and time
 - names of those who conducted and participated in the inspection, including other specialist experts or consultants
 - property identification details
- documents sighted or provided at the inspection
- interviews or discussions held on site
- observations made during inspection.

Knowledge Evidence

To be competent in this unit, a candidate must demonstrate knowledge of:

- authorities, licences and insurances to undertake building surveying activities in relevant jurisdictions
- dispute-resolution procedures available to property owners and community members in relevant jurisdictions
- duty of care to clients and subsequent building owners
- legislative and regulatory compliance requirements for buildings in different climate zones and geographic locations:
 - building control legislation and regulations

- National Construction Code (NCC) including referenced Australian Standards to meet deemed-to-satisfy provisions and/or performance solutions
- legislative and regulatory requirements for professional conduct in communications with clients and building contractors
- nature of admissible evidence that may be presented in arbitration hearings or court proceedings relating to building disputes
- principles of contract law that apply to building surveying contractual agreements with clients or applicants
- principles of negotiation and conflict resolution applicable to professional relationships
- processes for representing clients in arbitration hearings and court proceedings relating to building disputes
- requirements for documentation compliance in relevant jurisdictions
- scope and limitations of the statutory enforcement authority regulating building surveyors in relevant jurisdictions.

Assessment Conditions

Assessors must meet the requirements for assessors contained in the Standards for Registered Training Organisations.

Assessors must also:

- be licensed as a Building Surveyor Level 1 (or equivalent) or Level 2 (or equivalent) in their state or territory, or
- demonstrate current membership of a relevant industry association and have current registration on the National Building Professionals Register in the Building Industry Control category (level 1), or
- be accredited under the Australian Institute of Building Surveyors (AIBS) National Accreditation Scheme at Building Surveyor level or be accredited by the Royal Institute of Chartered Surveyors as a building certifier.

Assessment must be conducted in the workplace or a simulated workplace using realistic conditions, materials, activities, responsibilities, procedures, safety requirements and environmental considerations.

Candidates must have access to equipment, software, documentation, properties and buildings required to achieve the performance evidence.

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